App. F. IX-4

19 50-51 (CB)

File No. 261-50

Serial Nos. 1

Previous References.

CB 52-39-1 R5
CB 208-40-1, 2
CB 162-33-1
CB 124-43-1
CB 22-36-3-5
~~*Later References.*~~
CB 5-52-39-6
CB 38-41-1 (CC & CR 41-42)
CB 208-40-3
CB 10-39-1
Law 169-29-2
~~Ch. G.E. 96-51-1~~
Ch. Dep. 1081 of 52-53

Serial Nos. One

GENERAL AND REVENUE SECRETARIAT

Part B for Oct 1950

SUBJECT

Representation of Sri M. K. Narasimhachari, Assistant Secretary to Government for promotion as Under Secretary to Govt., in grade - 500-25-600/-

No 10765 / CB 261-50-1 D. 24-10-50

To

The Accountant General
through Fin. Dept.

Intimating that he may be placed in Special Grade of Rs. 500-25-600/- under Rule 4 (a) w.e.f. 1-10-1951

[illegible] 17/11/50

Submitted.

1) I solicit permission to submit this my representation with the fervent hope that Government will be pleased to view it with favour.

2) I was appointed on a pay of Rs.100/- in the Secretariat in 1932 for the work connected with the Round Table Conference and its committees in view of my special qualifications in Constitutional Law as the Sri Onath Nath Deb Research Scholar in Law in the University of Calcutta and was the recipient of several gold medals. In recognition of my humble work in the Secretariat and specially in connection with the work relating to the Constitutional Reforms in the State, I was appointed as Assistant Secretary to Government in October 1939 and given the grade of Rs.250-40/2-450 from 1st July 1941 for which act of grace I am ever grateful to Government. This post is included in the cadre of Munsiffs and as such in the natural course of events a Munsiff posted to this charge would derive the benefit of promotion to higher grades on occurrence of vacancies in higher grades in the Judicial Department.

3) The Officers of the Civil Service who function as Assistant Secretaries are also permitted to avail themselves of the grade to grade promotions in the Civil Service Cadre. The employment of the Civil Service Officers, the Judicial Officers and the Officers of the other Departments in the Secretariat as Assistant or Under Secretaries will not in any way affect their promotions in the departments to which they belong.

4) My case does not come under the purview of any of the instances cited above.

5) Though the post to which I was appointed during 1941 has been included in the cadre of Munsiffs, I have been stagnating in the grade of Rs.250-40/2-450 while almost all the Munsiffs who were drawing at that time the same or a lesser pay than mine have been promoted to the cadre of Sub Judges in grade Rs.500-50/2-600 with the result that officers who were drawing a lesser pay than mine in the cadre of Munsiffs are having the benefits of promotion to higher grades and are drawing higher pay than mine. The same is the case with the officers of the Civil Service some of whom have been promoted as Senior Assistant Commissioners.

6) Owing to the expansion of the activities of the Government in several directions, officers who were drawing a lesser pay than mine and have put in lesser service in departments like judicial, Civil Service, Police, Accounts (to mention only a few of the Departments) are drawing the benefits of promotion and have chances of rising to higher posts and even becoming my superior officers in the Secretariat which position is very hard to reconcile for any officer in service.

7) I have been an Assistant Secretary to Government for nearly ten years and have been in charge of important Branches like the Secretary of the Representative Assembly and the Legislative Council, Protection (consisting of major departments like Police, Military, Prisons etc.) and the Local Boards and am now in charge of the Legislation Branch for the past eight months. During all these years, I have been attending to my work with industry and diligence and trying to discharge my work to the best of my ability. A reference to the confidential reports on my work may bear ample testimony to the facts submitted

in the above paragraphs.

8) I may be permitted to submit also that a book "The Indian States and the Federation" written by me and published by the Oxford University Press will bear testimony to my special aptitudes. The late Marquess Lothian was pleased to contribute a foreward to it and the book itself is prescribed for special study in several Universities including Mysore. I append herewith for kind perusal copies of letters of appreciation received by me in that connection from some eminent persons like Sir Maurice Gwyer late Chief Justice of India, the late Sir P.S.Sivaswamy Iyer and Lord Sankey. I append also copies of the review of the book which appeared in the Times Literary Supplement London and by Dr. M. Ruthnaswamy in the New Review.

9) As matters stand at present, I have absolutely no scope for any promotion and can hardly look forward to any bettering of my prospects whatever diligence, industry or application I may bring to bear on my work.

10) It may not be out of place to mention that in such special cases there have been instances of special recognition by Government and it is my earnest appeal to Government for the grant of such concession to me also.

11) I request that the benign Government may kindly take into consideration all the peculiar circumstances connected with my case and promote me as an Under Secretary to Government and place me in the grade of Rs.500-50-600 and afford me the chances of serving the Government with greater zeal and enthusiasm.

M. K. Varadaraju
Assistant Secretary to Govt.,
Legislation Branch.

Bangalore,
15th December 48.

4

19, Akbar Road,
New Delhi,
May 9, 1919.

My Dear Sir,

I have received and have read the book on "The Indian States and Federation" which you were so good as to send me. The fact that it was published by the Oxford University Press is by itself a tribute to its merits, which I can also say from my own reading of it are considerable.

I should like to have written more fully on several points, because I was closely associated with many of the events which led up to the Government of India Act, and I was also a member of the Indian States Enquiry Committee in 1932. But I feel some hesitation in doing so, having regard to the position which I now occupy and to the probability that some of the matters with which you deal may one day come before me in a judicial capacity. But you will, I hope, understand that I do not on that account feel any the less interested in the book or that I am disposed to qualify my admiration of the manner in which you have dealt with the whole subject.

You write, if I may be permitted to say so, with something less than your usual objectivity, when you are discussing the question of States' tributes and allied topics. I do not say that there may not be a good deal in your argument; but I think perhaps it would have been fair to point out that, while all the States objected to paying tribute to the British Government on the ground that such payments were thoroughly unfederal, none of them who were entitled to receive tributes from fellow States were willing to surrender these, But are not such payments equally unfederal? I only mention this point, because it is referred to in the Davidson Committee's Report, and I have not been able to find any reference to it in your book.

Yours faithfully,

MAURICE GWYER.

5

THE TIMES LITERARY SUPPLEMENT.

27th May, 1939.

THE INDIAN STATES AND THE FEDERATION.

By M.K. Varadarajan.

Oxford University Press. London: Milford 12s.6d.

A brief notice of Mr.Varadarajan's book will suffice, for there is nothing but good to be said for it. It is a well-written and scholarly statement of the legal and constitutional position of the Indian States under the Federation. The writer has mastered his authorities; he has given a lucid and orderly explanation of the many difficulties inherent in this attempt to bring together democratic provinces and feudal states into one co-parcenary body; and he has put forward valuable suggestions regarding the solution of some of them. The difficulties are of many kinds, financial, administrative and judicial. Some are connected with the privileges of the Princes, some with their relations to the Paramount Power, while other arise out of ancient treaties regarding tributes and ceded territories. After reading the book one is no longer surprised that the States should wish to examine all aspects of their situation before they finally sign their instruments of Accession. As for the book itself, everybody who is interested in this complicated subject will do well to read it, especially since, as books of this kind go, it is unusually readable.

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13, Albert Place,
Kensington,
10th July 1939.

Dear Mr. Varadarajan,

Many thanks for sending me a copy of your book "The Indian States and the Federation." I have read it with great interest, and may I add profit. The question of Federation is at the present moment the most important one in India, and also one of the most difficult for, as you say, the attempt to combine democratic British Indian Provinces with a Feudal India in every stage of development must give rise to many unforeseen and anxious problems. A book like yours was badly wanted, and I think will be extremely useful to those who are engaged in the solution of these problems. I am very glad to have it in my library and shall certainly find it useful.

With kind regards,

Yours very truly,

SANKEY.

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NEW REVIEW.

June, 1939.

THE INDIAN STATES UNDER FEDERATION.

THE INDIAN STATES AND THE FEDERATION.

By M.K.Varadarajan.

Pp. XI, 292 Oxford University Press, 1939.

At last a book has been published on the Indian constitution which can be recommended for a clear and impartial treatment of the new federal system that is to be introduced in India. It deals with only one part of the constitution--that which deals with place and part of the Indian States in the new federal system. But the parts of a federation are so intertwined that one cannot deal with one part without discussing the others.

It is a clear and analytical explanation of the federal system under the Government of India Act of 1935 that the author has given us. The subjects of administration allotted to the Federal Government, the jurisdiction of the Federal Government over the States, Federal Finance, the Federal Court, the Federal Railway Authority, Paramountcy are all dealt with from the point of view of the status and authority of the States. He does not waste much ink in regrets over the peculiarities and defects of the Indian federation. But he does spend unnecessary emotion for a legal commentator, here and there, as when he discusses the methods of election to and distribution of seats in the federal legislature, or the restoration of ceded territories and cantonments and civil stations and the abolition of subsidies. But he can make shrewd comments, and suggestions, as on the exercise of federal functions by federal authorities in the States, or on the exercise of federal authority in regard to the rights and obligations of Paramountcy, or on the acquisition of lands for federal purposes in the territory of Indian States, or on the amount and payment of Corporation Tax in Indian States.

8

Not only lawyers but statesmen too will benefit by a perusal of this book -- expecially the statesmen of the States who are now engaged in making up their minds about bringing their States into federation. The author's bias in favour of the States, which is patent and therefore not prejudicial, does not make him forget the larger concerns of federation on the most important issues.

It is regrettable that in such a well printed book the obvious mispring JUSTINIAN for AUSTINIAN on p.6 was not noticed.

M. RUTHNASWAMY.

.....

Serial No.

12) The Legislation Branch work progressed well after he took charge as its Assistant Secretary. Existing Legislation has been brought up to the mark and the work of preparing up to date codes has been undertaken. Though he is shown in the grade of a Munsiff, which is the same as that of an Asst Commr. his prospects are limited. In view of the good work he has shown it is desirable to improve his prospects and promote him as Under Secretary as prayed for.

Min Law & Dewan Vice Ch Secy

SK 2-3/12

C.B. 13) Please workup, giving a history of Services of this officer. What are his chances of promotion as a Sub-Jodge?

115 23/12 Secy 23/12/48

Addl. Asst Secy to Govt from 1-10-39 to 1-7-1941

14) Sri M.K. Varadarajan started service in the Secretariat as a clerk. On 1-10-1939, when he was drawing emoluments to the extent of Rs 157/- p.m. in a special appointment as Assistant Secretary to the Committee constituted for proposing reforms in the State, he was appointed as Additional Assistant Secretary to Govt on a

CHIEF SECRETARY 5807 31 DEC 1948 OF MYSORE

Flag T. (CO 55-09-4)

Flag S. (CO 55-09-15)

10 Representation of Sri M. K. Varadarajan

File No. of 194 . General and Revenue Secretariat

Serial No.

fixed pay of Rs 200/- p.m. This appointment was at first sanctioned only for one year and was later extended upto the end of June 1941. and Sri. Varadarajan continued to hold the appointment. T.

Secretary R&C from 1-7-1941

15) When the appointment of full time Secretary to R&C and ex-officio Asst Secy. Legis Dept, Govt with effect from 1-7-41 on a grade pay Rs 250-40/2-450 was sanctioned in G.O No 151-200/CB 208-40-1 dt 9-7-1941, Sri Varadarajan was transferred to this post. He held this appointment only for a short-period. In August 1941, as the President, Mysore Legislative Council was not satisfied with the officer's conduct, Sri B. K. Ramakrishnaiya, Asst Secy Govt Protection Br was taken as Secy. R&A & L&C and Sri Varadarajan was posted as Asst Secy. to Govt vice Sri B. K. Ramakrishnaiya. U (CB 65-39-6)

V (CB 208-40-1-2)

W (CB 38-41-1)

16) One of the posts of Assistant Secretaries to Govt is included in the cadre of Munsiffs. Sri B. K. Ramakrishnaiya who was then a first grade Munsiff. O (CB 162-33-1)

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held this post prior to his transfer as Secretary Mysore Legislature Evernice Sri Varadarajan was transferred to Secretariat, Vice Sri. B. K Ramakrishnaiya, he has been shown in the civil list against the post of Asstant Secretary to Govt included in the cadre of Munsiffs. ~~Sri Varadarajan~~ If there was any intention of giving him a lien in the judicial dept definite action would have been taken to fix his rank in the judicial dept. This was not done. He has no lien in the judicial dept. Hence there is no prospect of his promotion in the judicial dept.

Hag S.

17) In ~~this connection~~ it must however be stated that it was under the consideration of Government to appoint him in the judicial dept. This was not done because his services were required here for working out the reforms He was retained here and promoted as Asst Secy to Govt, though on a temporary basis in the first instance.

18) In these circumstances

when he is only an Asstant Secretary of the Non-Secl Secretariat cadre — there is no question of stagnation. He cannot compare himself with others who have been brought from other Depts as Asst Secys & Govt what he has stated in paras 5 & 6 of the representation are incidental & service.

19 In the old grade of Rs 250-40/2-450 this officer is drawing Rs 370/- p.m from 1-7-1947 and in the revised grade of Rs 300-25-500 he may get Rs 425+15 from 1-10-48 and may reach the maximum on 1-10-51.

20 The Confidential reports of the officer are put up.

21) His request for promotion as Under Secy to G.O.I is for orders.

CKS
27/1

Sd
27-1-49

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22 The following is the succinct history of services of Sri M.K. Varadarajan :-

(1) Asst Sec clerk Rs 100/- from January 1932

(2) Asst Secy, constitutional Reform committee (Temporary) : Rs 132 + 25 A from 1-5-38.

(3) Temporary Asst Secy Rs 200/- from 1-10-39 to 30-6-41

(4) Secy, R.A. & L.C. (the designation since changed to Secy, Mysore Legislature) Rs 250-40/2-450 from 1-7-41 to 15-8-41.

(5) Asst Secy to Govt From 16-8-41

23 In para 2 of this representation Sri Varadarajan says that the post of Asst Secy to Govt which he now holds is included in the cadre of Munsiffs and that as such in the natural Course of events a Munsiff posted to his charge would derive the benefit of promotion to higher grades on occurrence of vacancies in higher grades in the Judicial Department. The Subn Note dated 22-6-41 and the Govt Notifn No. 201/CB. 208-40-2 dated 9-7-41 indicate that Sri Varadarajan was appointed Secy, R.A & L.C (the designation since changed to Secy, Mysore Legislature) substantively. He might perhaps have continued to hold his appointment but for the following incident. In August 1941 it was brought to the notice of Govt by the President, Legislative Council, that Sri Varadarajan

Re Representation of Sri. M. K. Varadarajan. Asst Secy to Govt

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where he was Secy, R.A. and L.C. was not behaving properly and that he was also not discharging his duties satisfactorily. Thereupon Sri B.K. Ramakrishnaiya, Munsiff doing duty as Asst Secy to Govt, was posted as Secy, R.A and L.C. and Sri Varadarajan, Secy, R.A and L.C. was posted as Asst Secy to Govt vice Sri Ramakrishnaiya. Sri Ramakrishnaiya being a permanent officer of the Judicial Dept., he was counted against the post of Asst Secy to Govt which is included in the cadre of Munsiffs. As no other post of Asst Secy to Govt was then available, Sri Varadarajan was shown against the post rendered vacant by the posting of Sri Ramakrishnaiya as Secy, R.A & L.C. These are the circumstances under which Sri Varadarajan came to be shown against the post of Asst Secy to Govt which is included in the cadre of Munsiffs.

All the circumstances leading to the inclusion of this appointment in the cadre of Munsiffs are contained in the discussions in paras 17 to 47 of the notes in C.P. file No. 162-33 (1). When this post was ordered to be included in the cadre of Munsiff, Sri N. R. Jaya Rao, who was holding this charge, was confirmed as Munsiff. Seems good.

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and continued to do duty as Asst Secy to Govt. (Vide G.O. No. 3816-17/CB 162-33-1 dated 19-6-1934) No such orders have been passed when Sri Varadarajan was posted as Asst Secy to Govt in the place of Sri Ramakrishnaiya and it does not also appear to be the intention of Govt. It was, however, under the consideration of Govt that a place might be found for him in the Judicial Deptt. But this was not given effect to as it was then thought better to retain Sri Varadarajan's services in the Secretariat (Vide Chief Secy's note dated 23-9-39 in CB. file No 55-39 (1-5).

25 The above facts go to show that it was by sheer accident that Sri Varadarajan was counted against the post of Asst Secy which is included in the cadre of Munsiffs and that he cannot, therefore, be allowed any promotion to higher grades in vacancies occurring in the Judicial Deptt.

26. As Asst Secy to Govt he is drawing a pay of Rs 370/- in the grade of Rs 250-40/2-450 from 1-7-47. and in the revised grade of Rs 300-25-500, he will get a pay of Rs 425+ P.A.Rs 75/- from 1-10-48. He will reach the maximum pay of the new grade on 1-10-57. He appears to have had fast promotions

Note—Contn. Sheet

16 Representation of Sri M. K. Varadarajan Assistant Secretary—

File No. 3759/CB of 1948. General and Revenue Secretariat

Serial No.

in this special career and there does not appear to be much stagnation in this case.

27) In the above circumstances this request to appoint him as under Secy to Govt and to place him in the grade of Rs 500-50-600, cannot perhaps be complied with.

Chief Secy) 3.VIII.R 30/1/49

28) His officer would reach the maximum in the grade Rs. 300-25-500 (revised grade of Cent. Secy.) on 1.10.51. Thereafter, he will have about 8½ years of service, and unless he is specially put on to another grade, or another appointment, he will have to stagnate.

29 The grade he is now in corresponds more or less to that of a Munsiff. The grade pay of Rs 500-50-600, asked for by him corresponds to that of a Sub-Judge. There was an idea once to give him a place amongst Munsiffs but this had not been seriously considered at the time. This may still be done, and he may be given an appropriate place in the Munsiffs' Cadre, and retained there by which he could still continue on the Secretariat without coming in any body's way in the judiciary, and

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Representation of Sri M. K. Varadaraja Asst Secy 4/3/49

General and Revenue Secretariat

File No. 3759 CB of 1948. 17

Serial No.

This will have the additional advantage of his getting a promotion to the next higher grade of Sub Inspr. in the usual course, instead of having to face a dead-end, as now, after 1951.

30) Para 22 indicates that there has been no serious stagnation in his prospects so far. Para 23-26 meet the points raised by the officer that he was posted to a place which was included in the Zone of Hostilities, and hence he should have got the passed increments, as a matter of right from the date of his passing against this place.

31) The officer is now getting Rs 425/- plus P.A. of Rs 75/- in the revised grade of Rs. 300-25-500. Except for the one occasion when the President of the L.C. felt dissatisfaction about the officer's conduct, he has had good reports uniformly, and seems to have done work of a high order throughout.

32) His request for some special recognition is for consideration and orders.

Hon'ble Law. Chief Hon'ble Dewan Hon'ble Secy W/S.

10/2 Secy W/S

CHIEF SECRETARY 7436 FEB 1949 GOVT. OF MYSORE

GENERAL & REVENUE SECRETARIAT U. O. NO. FL. 6489 10 FEB 1949 FINANCIAL SECRETARY, BANGALORE.

Note—Contn. Sheet

Representation of Sri M.K. Varadarajan. Asst Secy to Govt

16 File No. 3759/CB of 1948. General and Revenue Secretariat

Serial No. 6489/H

33) I agree with the views in paragraph 29 above. If that course of action is approved there is no necessity for any special consideration and extra cost would be avoided.

11.2.49.

34) I think so.

15/2

Chief Min & Secretaries

33) I agree with the Law Minister. If this is Council matter it has to go before the Council.

16/2

36 council meeting.

26/2

37) Subd for orders whether the High Court should be addressed and their opinion obtained on the proposals made in para 29, before the subject is brought up for consideration at a meeting of the council

Chief Secy

4/3/49 4.3.49 4/3/49

38) May be done if it is usual to do so, & if there are any precedents.

5/3

CHIEF SECRETARY 14 FEB 1949 GOVT. OF MYSORE

OFFICE OF THE CHIEF MINISTER. No. C. 1838 Date 15/2/49

C ... Labour

5206 15/2

Representation of Sri M. K. Varadarajan, Asst. Secy. to Govt

General and Revenue Secretariat

App. F. 1.-3

File No. 3759 CB of 1948. 19

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39 Note as in para 37 was put up, because it was thought that any decision relating to the judicial dept., by Govt, should be taken only after consulting the High Court.

40) Reference is invited to the collection CB 162-33-1, relating to Sri V. R. Jaya Rao, who was the first, Asst Secy to Govt, Law Branch and was later absorbed in the cadre of Munsiffs. Though ~~Govt~~ the council decided to appoint Sri Jaya Rao, as a Munsiff, proposals were finalised only after consulting the High Court. Draft letter to the High Court is put up for orders.

Flag O.

CKS 8/3

8.3.49

41) for Considerations.

9/3

Ch Secy

42) The High Court may be consulted, if agd. Draft of the letter to High Court is for Consideration.

(Chief Minr.) 10/3

43 may issue.

10/3

15/3 issued 15/3/49 12/3

CHIEF SECRETARY 8349 10 MAR 1949 GOVT OF MYSORE

CHIEF SECRETARY 9568 15 MAR 1949 GOVT. OF MYSORE

Note.— Contn. Sheet

Representation of Sri M. K. Varadarajan

File No. Amtt Cy 3759/CB V5822 of 194 General and Revenue Secretariat

20

Serial No.

Letter No 7573/CB dy 16-3-1949 to the Registrar, High Court of Mysore, Bangalore

Calls for the opinion of the High Court in the matter

Secy

No R.O.C 775/1949 dy 20-5-1949 from the Registrar High Court of Mysore stating that High Court cannot is unable to concur with the suggestion.

44) If approved, the request of the officer with a view for special recognition will be placed for consideration at a meeting of the Council as ordered in para 35 and 36 of the note.

CKS 25/5 26

45) The Registrar's letter containing the views of the High Court on the proposal to give a lien to Sri M.K. Varadarajan in the Cadre of Munsiffs is for perusal.

46) In this connection, it may perhaps be submitted that the position of Sri Varadarajan seems to be an anamoly since he has no lien in the Judicial Deptt. but is holding a post that is included in the Judicial Deptt. in the Cadre of Munsiffs. The High

WD 02853—GPB—30,000—11-5-48

(169) Representation of Sri M. K. Varadarajan, Asst. Secy.

General and Revenue Secretariat | File No. 5823 CB of 1948. | [App. F. III–2

Serial No.

Court has not objected to the continuance inclusion of the of the 1 post of Asst. Secy. held by Sri Varadarajan in the cadre of Munsiffs. Apparently one post of Munsiff is kept vacant in the Judicial Dept. against Sri Varadarajan's appointment.

47) The representation of Sri Varadarajan from promotion has been ordered to be considered at a meeting of the Council (paras 35, and 36.)

48) After perusal of the letter received from the High Court, a D.C.N. will be put up duly incorporating the views of the High Court.

Chief Secy) 49) xmk 26/5/49

26.5.49.

50) Please put up D.C.N.

115

27/5 xmk 27.5.49

CHIEF SECRETARY 1/2772 27 MAY 1949 GOVT. OF MYSORE

51) Council 115

Draft ~~circulation~~ Note is subd

Chief Secy) 52) xmk 7.6.49

Cks 7/6

53) Appd

115

7/6. xmk 7.6.49

CHIEF SECRETARY 1/6221 7 JUN 1949 GOVT. OF MYSORE

GENERAL SECRETARIAT Court 1 S 6 01 12 Court fees CONFIDENTIAL BRANCH B

Fd 7.6.49

54)

Council File No 1794.
For Consideration
at a Meeting of Council
xmk
14.6.49.

Fd 14.6.49.

NOTE—Contn. Sheet.

1794.

CIRCULATION NOTE. O/C. SCMR 14.6.49

Subject: Representation of Sri M.K. Varadarajan, Assistant Secretary to Government for promotion as Under-Secretary to Government, with a grade pay of Rs.500-50-600.

Sri M.K. Varadarajan entered Government Service as a clerk in the Secretariat on Rs.100/- in January 1932 and held the following appointments thereafter.

Asst. Secretary, Constitutional Reforms Committee.	From 1.5.1938 on Rs.132/- plus 25/- A.
Temporary Assistant Secretary to Government.	From 1.10.1939 to 30.6.1941 on Rs.200 p.m.
Secretary, Mysore Legislature.	From 1.7.1941 to 15.8.1941.
Asst. Secretary to Government.	From 16.8.1941.

Sri M.K. Varadarajan is now drawing a pay of Rs.425 plus P.A. Rs.15/- in the grade 300-25-500 and would reach the maximum of the grade pay on 1.10.1951. Thereafter he will have 8½ years of service and will stagnate on a pay of Rs.500/- unless he is specially put on to another grade.

Prior to his appointment as Temporary Assistant Secretary to Government in 1939, it was under the consideration of Government to appoint him in the Judicial Department as a Munsiff. This was not done as he was appointed Temporary Assistant Secretary to Government for working out the Constitutional Reforms and as it was then thought better to retain Sri Varadarajan's services in the Secretariat.

One post of Assistant Secretary to Government is included in the cadre of Munsiffs. Throughout, an officer of the Judicial Department was being posted to hold this appointment. When Sri B.K. Ramakrishnaiya, who was a first grade Munsiff was transferred in July 1947 as Secretary, Mysore Legislature, Sri M.K. Varadarajan was posted as Assistant Secretary, Law Department vice Sri B.K. Ramakrishnaiya and Sri M.K. Varadarajan is being counted against this post ever since. Unlike an officer posted from the Judicial Department Sri M.K. Varadarajan cannot get the graded increments as a Munsiff or promotion to the next higher appointment of a Sub Judge as he has no lien on any appointment in the Judiciary. As

the same time, one post of Munsiff has necessarily to be kept vacant so long as the post of Assistant Secretary to Government included in the cadre of Munsiffs is held by an officer not belonging to the cadre.

The grade pay of Sri Varadarajan corresponds more or less to that of a Munsiff and the grade pay of Rs.500-50-600 asked for by him corresponds to that of a Sub-Judge. As has been mentioned earlier, there was an idea at one time to give him a place among Munsiffs. This may still be done and he may be given an appropriate place in the cadre of Munsiff and seconded there, by which he could still continue in the Secretariat without coming in anybody's way in the Judiciary. This will have the additional advantage of his getting a promotion to the next higher grade of Sub-Judge in the usual course instead of having to face a dead end as now after 1951.

Except for the one occasion when the President of the Legislative Council felt some dissatisfaction about his conduct, he has had a good record of work to his credit uniformly and has done work of a high order throughout.

The Financial Secretary agrees to the proposal.

The Minister for Law and Labour and the Chief Minister and the Dewan agree and have ordered that the subject may be considered at a Meeting of the Council.

Meanwhile, the High Court was consulted with a view to obtaining its views on the proposal. The Registrar of the High Court has stated that while appreciating the desire of the Government to improve the prospects of Sri Varadarajan, the Judges consider that it will be unfair to the Judiciary if an officer of other service is brought on the Judiciary solely with a view to give him promotion. Besides they consider that Sri Varadarajan has not functioned at any time as a Judicial Officer and the ~~Judiciary~~ drafting ~~xx~~ of officers of other services to the Judiciary at intermediate stages will naturally develop a sagging tendency in the Judicial Officers and that such inclusion may be avoided.

For these reasons the High Court has expressed its regret that it is unable to concur with the suggestion.

(164)

582/48.	27 / 17.4.50.	27 / 26.7.50

2276/CB.50

C.1794/48.

55) SUBJECT:-

Representation of Sri M.K.Vardarajan, Assistant Secretary to Government, for promotion as Under Secretary to Government, with a grade pay of Rs.500-50-600.

OPINION OF COUNCIL.

56) Instructions in Jamal.

This request may be considered in Sept. Oct. 1950 - His confidential reports may be put up in the meantime

A.C.S
29.7.50.

CB
29.7.50

57) [illegible]
xmas
31/7/50.

58) Confidential reports up to the year 1948-49 of this officer are here with put up.

'E' Confl. reports required from their file.

KMD 2/8/50.

Chief Secy)

59) xmas 7/8/50

Ld 2.8.50.

60) May be put up to CM. after 10 days.

[illegible] 8/8 xmas 7/8/50

C. 1794/48

Representation of Sri M. K. Vardarajan, Asst. Secy. to Govt. for Promotion as Under Secretary to Govt.

(61) The file is resubmitted as directed overleaf for submission to the Hon'ble Chief Minister.

14.8.50

(62) SEMP 14/8/50

(Chief Min)

14.8.50.

Office of the Chief Minister
No. 3397.
Date. 14-8-50

(63) The instructions in Council are that this may be taken up in September. I do not see why this has been submitted now. Perhaps for perusal of the Confidential reports. Seen. KCR. 15/8/50

(64) O.N. She have been sent clearly

16/8

16/8 SEMP 16/8/50.

C.1794/48.

5822 of 48
C.P.S.

Extract from the Proceedings of the 76th *Meeting of the Council of Ministers held at Bangalore on* 15th October *19*50

(65) SUBJECT:

Representation of Sri M.K. Varadarajan, Assistant Secretary to Government, for promotion as Under Secretary to Government.

(66) OPINION OF THE COUNCIL.

He may be placed in a special grade of Rs.600-25-600 with effect from 1-10-1961.

*Sd. K. Chengalaraya Reddy,
CHIEF MINISTER.

(67) For ~~xxxxxxxx~~ further action.

C.B.)

16/10 amr 19/10/50

(68) Submitted. Draft G.O. is put up for approval.

19/10/50.

(69) amr 19.10.50

(Chief Secy)

(70) 20/10 amr 21/10/50

CHIEF C 6704 20 OCT 1950 GOVT. OF MYS

19.10.50.

(71) Signed copies of G.O. No 10745/C.B. 261-50-1 dated 24-10-1950 are placed below.

(Supdt Price Deptt W/Cs.)

24/10/50

"EXTRACT"

Chief Secretary to Government.

24.10.50.

Representation of Sri M.K. Vayadarajan, Asst. Secy to Govt.

2276 C.B.

C.1794/48

72) H Com no 3604/27-10-50

73) H Sec has agreed to the suggestion of Ch-Secy that the officer may be placed in the cadre of a Munsiff etc to avoid extra cost. vide paras 29 and 33. This may now perhaps be submd for kind perusal of H Secy in view of the subsequent opinion of High Court and the present Council decision to give effect to the new grade from 1-10-1951 Submd. Sd/ 27/10.

74) The revised grade is to take effect from 1-10-1951 !?

Vvs 27/10

75) H Secy 27/X/50

76) 28/10/50.

77) 28/10

78) 28/10.

G.O. No. 107145/C.B. 251-50-1 dated 24.10.1950 directing that Sri M.K. Vayadarajan, Asst. Secy to Govt (Ch.R.S.) in grade Rs 300-25-500 is placed in a special grade of Rs 500-25-600 with effect from 1st Oct 1951

To The A.G. Mysore Bangalore through F.D.

NOTED AND RETURNED

C.B.)

25/10/50

28.10.50.

CONFIDENTIAL

No.7573/CB 16th March 49

The Registrar,
High Court of Mysore,
BANGALORE.

I am directed to state that Sri M.K. Varadarajan, Assistant Secretary to Government, Legislation Branch, is counted against the post of Assistant Secretary to Government which is included in the cadre of Munsiffs, vide Govt. Order No.3816-17/C.B.162-33-1 dated 9th June 1934 but does not seem to have been provided with a lien in the Judicial Department in the cadre of Munsiffs, as he was recruited direct to the Secretariat and has been in the Secretariat ever since his appointment. When this officer reaches the maximum of his grade pay (Rs.300-25-500) in about two years time from now, there is no appointment in the Secretariat to which he could be promoted and he will have to stagnate for about 8½ years before he retires from service. Government had an idea once to give him a place among Munsiffs but this proposal was not pursued for some reason. The grade pay of this officer corresponds more or less to that of a Munsiff and in recognition of his good work and in order to enable him to have better prospects, Government are once again examining the question of giving him an appropriate place in the Munsiffs' cadre and seconding him there, by which he could still continue in the Secretariat without coming in anybody's way in the Judiciary. This proposal, if sanctioned, will have the additional advantage of his getting a promotion to the next higher grade of Sub Judge at the appropriate time. I am, therefore, to request you kindly to obtain the views of the High Court on the proposal and if there is no objection to giving Sri Varadarajan a place in the Munsiffs' cadre as proposed, to let me know the appropriate place that may be given to him in the cadre consistent with his present pay and service. He is

Confidential

The Registrar ,

High Court of Mysore

Sir,

I am directed to state that Sri. M.K.Varadarajan , Assistant Secretary to Government, ~~Leg.~~ Legislation Branch, is counted against the post of Assistant Secretary to Govt. which is included in the cadre of Munsiffs, vide G.C.3816-17/CD162-33-57 9 6/39 but does not seem to have been provided with a lien in the Judicial Department in the cadre of Munsiffs, as he was recruited direct to the Sectt ~~xxx~~ and has been in the Secretariat ever since his appointment. When this officer reaches the maximum of his grade pay (Rs. 300-25-500) in ~~xx~~ about two years time from now, there is no appointment in the Secretariat to ~~xxix~~ which he could be promoted and he will have to stagnate for about 8½ years before he retires from service. Government had an idea once to give him a place among Munsiffs but this proposal was ~~dropped for some reason~~ not pursued for some reason. The grade pay of this officer corresponds more or less to that of a Munsiff and in recognition of his good work and in ~~xxx~~ order to enable him to have better prospects, Government are once again examining the question of giving him an appropriate place ~~in~~ in the Munsiff's cadre and seconding him there, by which he could still continue in the Sectt. without coming in ~~xxx~~ anybody's way in the Judiciary. This proposal, if

Flag C

P.T.O.

if sanctioned will have the additional advantage of his getting a promotion to the next higher grade of ~~subject~~ Sub-Judge at the appropriate time. I am therefore to request you kindly to obtain the views of the High Court on the proposal and if there is nom objection to giving Sri Varadarajan a place in the Munsiff's cadre as proposed, to let me know the appropriate place that may be given to him ~~the Munsiff's~~ in the cadre consistent with his present pay and service He is now drawing a pay of Rs. 425 + PA Rs 15 in grade Rs. 300-25-500 and is in service from January 1932.

Yours faithfully,

Chief Secretary to Govt.

8.3.49

9/3/49.

"CONFIDENTIAL". 5822

R. O. C. No. 775 / 4849
D. Dis.

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 20th May 1949.

FROM

SRI J. RUDRAPPA, M.A., LL.B.,
Registrar, High Court of Mysore.

To

Sri K. SRINIVASAN, B.Sc.,
Chief Secretary to
the Government of Mysore,
BANGALORE.

SIR,

With reference to your letter No.7573/C.B., dated the 16th March 1949, requesting for the views of the High Court on the proposal to give to Sri M.K. Varadarajan, Assistant Secretary to Government, Legislation Branch, an appropriate place in the cadre of Munsiffs, I am directed to state that this proposal was considered in all its bearings by the Chief Justice and all the Judges at a meeting held on 26th March 1949.

While appreciating the desire of the Government to improve the prospects of Sri Varadarajan, the Judges consider that it will be unfair to the Judiciary if an officer of other service is brought on the Judiciary solely with a view to give him promotion. Besides they consider that Sri Varadarajan has not functioned at any time as a Judicial Officer and the drafting of officers of other services to the Judiciary at intermediate stages will naturally develop a sagging tendency in the Judicial Officers and that such inclusion may be avoided.

For these reasons, I am to state that the High Court regrets that it is unable to concur with the suggestion conveyed in your letter under advertence.

52.
C.B.
115/2075
23/5/49

Yours faithfully,

J. Rudrappa
REGISTRAR.

DA/-

PROCEEDINGS OF THE GOVERNMENT OF ~~HIS HIGHNESS~~ THE ~~MAHARAJA~~ OF MYSORE

ORDER NO.10745/C.B.261-50-1

Dated, Bangalore, the 24th October 1950.

Sri.M.K.Varadarajan, Assistant Secretary to Government, General and Revenue Secretariat, in grade Rs.300-25-500 is placed in a special grade of Rs.500-25-600 with effect from 1st October 1951.

for CHIEF SECRETARY TO GOVERNMENT.

To

The Accountant-General, Mysore, Bangalore, through Financial Department.

Copy to:/ (1) Sri.M.K.Varadarajan, Assistant Secretary to Government, Legislation Branch.

(2) Accounts Branch.

12/8

G. R. S. App. F VI—G. 2]

SUBJECT.....

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.....

Diary No. of letter replied to ...5822 of 1948 C.B.

Section

File No.

Serial No.

General and Revenue Secretariat

( )

the 19 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue.....19 .

Signed by.....

Read—

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette, Kannada Part?

Order thereon.—No. 107/45/CB261-50-1 D. 24.10.50

Sri M. K. Vapadarajan, Asst. Secy to Govt in G.R.S. in grade Rs 300-25-500/ is placed in a special grade of Rs 500-25-600 with effect from 1.10.1951.

20.10.50.

To The A. G. Mysore, thro' Legn. thro' F.D.

Copy to (1) Sri M. K. Vapadarajan, Asst. Secy to Govt

(2) Accts thro' Legn.

Chief Secy to Govt. 19.10.50

Fin. Secy 19.10.50

C. F. 74.]

WD 0973—GPB—100 pads of 10,000 sheets each—23-10-42

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Office of the Minister for Law & Labour.
No. T(671)
Date 18/7

Submitted.--

Re: Representation of Sri Varadarajan, Asst. Secy. for promotion as Under Secretary (Council Note No. 1794/49-50).

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The Hon'ble Minister desires that this file may be put up for consideration at the next Council Meeting.

K. Seshachalam
18.7.50 P.A.
CHIEF SECRETARY)

CS 18/7/50

18/7

Subtd. with the Council file C.1794/49

18.7.50

The Constitutional position has changed since, and under Art. 235 of the Constitution appointments in the Judicial Service to posts inferior to the post of Dt. Judges seems to be vested

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

Representation of Sri M. R. Vardarajan, Asst. Secy. to Govt. for promotion

C. F. 74.]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

C. 1794/48.

in the High Court.

Chief Secy) Jamr 19.7.50

Li 19.7.50.

Minr. Law. / Chief Minr) MG 19.7.50. xma 20.7.50

2669

Office of Ch: Mr. No 2803 D 20/7/50

The matter may be considered in Council. This is pending for over a year! RTD 20/7

Council Sd. D 22/7/50

Mrs. MG. 24/7 xma 24/7/50

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.*

D.C.N.

Subject: Representation of Sri M.K. Varadarajan, Assistant Secretary to Government for promotion as Under Secretary to Govt., with a grade pay of Rs.500-50-600.

Sri M.K. Varadarajan entered Government service as a clerk in the Secretariat on Rs.100 in January 1932 and held the following appointments thereafter.

Asst.Secretary, Constitutional Reforms Committee.	From 1.5.1938 on Rs.132 plus 25 A.
Temporary Assistant Secretary to Government.	From 1.10.1939 to 30.6.1941 on Rs.200 p.m.
Secretary, Mysore Legislature.	From 1.7.1941 to 15.8.1941.
Asst. Secretary to Govt.	From 16.8.1941.

Sri M.K. Varadarajan is now drawing a pay of Rs.425 plus P.A.Rs.15 in the grade 300-25-500 and would reach the maximum of the grade pay on 1.10.51. Thereafter he will have 8½ years of service and will stagnate on a pay of Rs.500, unless he is specially put on to another grade.

Prior to his appointment as Temporary Assistant Secretary to Government in 1939, it was under the consideration of Government to appoint him in the Judicial Department as a Munsiff. This was not done as he was appointed Temporary Assistant Secretary to Government for working out the Constitutional Reforms and as it was then thought better to retain Sri Varadarajan's services in the Secretariat.

S

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W

One post of Assistant Secretary to Government is included in the cadre of Munsiffs. Throughout, an officer of the Judicial Department was being posted to hold this appointment. When Sri B.K. Ramakrishnaiya, who was a first grade Munsiff was transferred in July 1947 as Secretary, Mysore Legislature, Sri M.K. Varadarajan was posted as Assistant Secretary, Law Department vice Sri B.K. Ramakrishnaiya and Sri M.K. Varadarajan is being counted against

this post ever since. Unlike an officer posted from the Judicial Department Sri M.K. Varadarajan cannot get the graded increments as a Munsiff or promotion to the next higher appointment of a Sub Judge (as he has no lien on any appointment in the Judiciary). At the same time, one post of Munsiff has necessarily to be kept vacant so long as the post of Assistant Secretary to Govt. included in the cadre of Munsiffs is held by an officer not belonging to the cadre.

The grade pay of Sri Varadarajan corresponds more or less to that of a Munsiff and the grade pay of Rs.500-50-600 asked for by him corresponds to that of a Sub-Judge. As has been mentioned earlier, there was an idea at one time to give him a place among Munsiffs. This may still be done and he may be given an appropriate place in the cadre of Munsiffs and seconded there, by which he could still continue in the Secretariat without coming in anybody's way in the Judiciary. This will have the additional advantage of his getting a promotion to the next higher grade of Sub-Judge in the usual course instead of having to face a dead End as now after 1951.

Except for the one occasion when the President of the Legislative Council felt some dissatisfaction about his conduct, he has had a good record of work to his credit uniformly and has done work of a high order throughout.

The Financial Secretary agrees to the proposal.

The Minister for Law and Labour and the Chief Minister and the Dewan agree and have ordered that the subject may be considered at a meeting of the Council.

Meanwhile the High Court was consulted with a view to obtaining its views on the proposal. The Registrar of the High Court has stated that while appreciating the desire of the Government to improve the

prospects of Sri Varadarajan, the Judges consider that it will be unfair to the Judiciary if an officer of other service is brought on the Judiciary solely with a view to give him promotion. Besides they consider that Sri Varadarajan has not functioned at any time as a Judicial Officer and the drafting of officers of other services to the Judiciary at intermediate stages will naturally develop a sagging tendency in the Judicial Officers and that such inclusion may be avoided.

For these reasons the High Court has expressed its regret that it is unable to concur with the suggestion.

The subject is for consideration at a meeting of the Council.

7/6.

Chief Secretary to Govt.

CKO

scmR
7.6.49.

7.6.49.